DETAILED ACTION

Response to Amendment

1. The amendment filed on 6/17/2011 has been entered. Claim 1 has been amended. Claims 6 has been added and no claims have been cancelled. Accordingly, claims 1-6 are pending in this office action.

Response to Arguments

Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection. A second or any subsequent action on the merits in any application or patent undergoing reexamination proceedings will not be made final if it includes a rejection, on newly cited art, other than information submitted in an information disclosure statement filed under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p), of any claim not amended by applicant or patent owner in spite of the fact that other claims may have been amended to require newly cited art. Where information is submitted in a reply

to a requirement under 37 CFR 1.105, the examiner may NOT make the next Office action relying on that art final unless all instances of the application of such art are necessitated by amendment. See MPEP § 706.07(a).

The independent claims in this case are 1, 5 and 6 all of which have been amended substantively and effectively all 6 claims have been amended substantively since all claims depend either directly or indirectly from claims 1,5 or 6.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003 0217133 (hereinafter Ostrup) in view of US 20040128313 (hereinafter Whyman)

As for claim 1 Ostrup discloses: an input buffer in which an entity to be validated for consistency can be placed (See paragraph 0023), output means in which the result of the consistency validation can be stored and communication means to communicate with the different IT systems (See paragraphs 0039), wherein an adapter for each of the IT systems allows communication between the consistency service and the IT systems, such that a signal sent by the consistency service to verify an existence of a specific data set of an IT system can be sent back to the consistency service if that specific data set exists (See paragraphs 0024, 0028 and figure 4) , and wherein a reference

container holds references to the entity in the data sets of the various IT systems such that the entities in a specific IT system can be addressed through the adapter of the specific IT system (See paragraph 0027 note the consistency check is done in terms of managed objects), said method comprising the following steps: loading a reference the entity to be validated for consistency into the buffer of the consistency service, the consistency service sending a signal to verify the existence of a specific data set of an IT system to the IT system holding the entity to be validated for consistency , storing a consistency validating information in the output means, based on the signal being sent back to the consistency service (See paragraphs 0038-0039 and 0041).

Ostrup however does not explicitly disclose modeling physical assets of a utility.

Whyman however does explicitly disclose modeling physical assets of a utility (See paragraphs 0008, 0038 and 0042). It would have been obvious to an artisan of ordinary skill in the pertinent at the time the invention was made to have incorporated the teaching of Whyman into the system of Ostrup. The modification would have been obvious because the two references are concerned with the solution to problem of data processing, therefore there is an implicit motivation to combine these references (i.e. motivation from the references themselves). In other words, the ordinary skilled artisan, during his/her quest for a solution to the cited problem, would look to the cited references at the time the invention was made. Consequently, the ordinary skilled artisan would have been motivated to combine the cited references since Whymans teaching would enable users of the Ostrup system to have efficiently stored historial records (See Whyman paragraph 0053). Consequently, there would have been a

reasonable expectation of success since the both reference are designed to process information based on rules.

As for claim 2 the rejection of claim 1 is incorporated and further Ostrup discloses: logging failure of consistency validation if no signal is being sent back to the consistency service, by adding the entity, which was to be validated for consistency, and the IT system, which was not replying to the signal, to a log file (See paragraph 0024 note checks handle failures).

As for claim 3 the rejection of claim 1 is incorporated and further Ostrup discloses: the consistency service checking the communication to the IT system holding the data set to be verified prior to sending the signal to verify the existence of the specific data set of that IT system (See paragraph 0026).

As for claim 4 the rejection of claim 1 is incorporated and further Ostrup discloses: loading a multitude of entities to be validated for consistency into the buffer of the consistency service, and the consistency, service successively processing the entities to be validated for consistency, sending out signals and storing consistency validating information in the output means (See paragraphs 0026-0028).

Claim 5 is a computer program product corresponding to the method of claim 1 and is thus rejected for the same reasons as set forth in the rejection of claim 1.

As for claim 6 Ostrup discloses :a consistency service having an input buffer in which an entity to be validated for consistency can be placed (See paragraph 0023), output means in which the result of the consistency validation can be stored and communication means to communicate with the different IT systems (See paragraphs 0039), wherein an adapter for each of the IT systems allows communication between the consistency service and the IT systems, such that a signal sent by the consistency service to verify an existence of a specific data set of an IT system can be sent back to the consistency service if that specific data set exists (See paragraphs 0024, 0028 and figure 4) , wherein a reference container holds references to the entities in the data sets of the various IT systems such that a specific entity in a specific IT system can be addressed through the adapter of the specific IT system (See paragraph 0027 note the consistency check is done in terms of managed objects), wherein the consistency service is adapted for sending a signal to verify the existence of a specific data set of an IT system to the IT system holding the entity to be validated for consistency , and wherein the output means are adapted for storing consistency validating information based on the signal being sent back to the consistency service (See paragraphs 0038-0039 and 0041).

Ostrup however does not explicitly disclose modeling a physical asset of a utility which entities are stored in data sets of a multitude of different It systems of the utility Whyman however does explicitly disclose modeling a physical asset of a utility which entities are stored in data sets of a multitude of different It systems of the utility (See

paragraphs 0008, 0038 and 0042 and 0095). It would have been obvious to an artisan of ordinary skill in the pertinent at the time the invention was made to have incorporated the teaching of Whyman into the system of Ostrup. The modification would have been obvious because the two references are concerned with the solution to problem of data processing, therefore there is an implicit motivation to combine these references (i.e. motivation from the references themselves). In other words, the ordinary skilled artisan, during his/her quest for a solution to the cited problem, would look to the cited references at the time the invention was made. Consequently, the ordinary skilled artisan would have been motivated to combine the cited references since Whymans teaching would enable users of the Ostrup system to have efficiently stored historial records (See Whyman paragraph 0053). Consequently, there would have been a reasonable expectation of success since the both reference are designed to process information based on rules.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELIYAH S. HARPER whose telephone number is (571)272-0759. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ELIYAH S HARPER/
Primary Examiner, Art Unit 2166
August 29, 2011